

**Introduced by Senator Maldonado**

February 18, 2010

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An act to amend Section 44691 of, and to add Section 44278 to, the Education Code, relating to teachers.

**LEGISLATIVE COUNSEL'S DIGEST**

SB 1183, as introduced, Maldonado. Teachers: mandated reporting.

Existing law, the Child Abuse and Neglect Reporting Act, requires certain persons identified as “mandated reporters,” including teachers and various other school employees, to report suspected child abuse or child neglect, as specified, and provides that a failure to report as required is an offense. Existing law encourages employers to provide their employees who are mandated reporters with training in the duties imposed by the act, and further requires school districts that do not train their employees who are identified as mandated reporters to report to the State Department of Education the reasons why the training is not provided. Under existing law, the Commission on Teacher Credentialing is required to adopt standards and procedures for the issuance and renewal of teaching and services credentials.

This bill, effective January 1, 2011, would require the holder of a teaching or services credential issued by the commission to complete an approved training program by January 1, 2012, and every 2 years thereafter, in the duties imposed on mandated reporters, as specified. The bill would require the holder of the credential to submit verification that he or she has complied with the training requirement, and, on and after January 1, 2012, would prohibit the commission from renewing a credential of a person who has not complied with the requirement. The bill would require the Office of Child Abuse Prevention in the State Department of Social Services or another agency approved by the State

Department of Social Services to make resources it may have for training for mandated reporters available to all school districts and school district personnel.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 44278 is added to the Education Code,  
2 to read:

3 44278. (a) On and after January 1, 2011, the holder of a  
4 teaching or services credential issued by the commission shall  
5 complete an approved training program by January 1, 2012, and  
6 every two years thereafter, in the duties imposed on mandated  
7 reporters under Article 2.5 (commencing with Section 11164) of  
8 Chapter 2 of Title 1 of Part 4 of the Penal Code.

9 (b) The holder of a teaching or services credential, as part of  
10 his or her application to renew his or her credential, shall submit  
11 verification to the commission that he or she has complied with  
12 the training requirements set forth in subdivision (a). On and after  
13 January 1, 2012, the commission shall not renew the credential of  
14 any person who has not completed the training in accordance with  
15 subdivision (a).

16 (c) For purposes of this section, an approved training program  
17 may include, but is not limited to, mandated reporter training  
18 offered online by the Office of Child Abuse Prevention or another  
19 agency approved by the State Department of Social Services,  
20 training conducted by a local educational agency, training offered  
21 by a local educational agency, or any other training approved by  
22 the commission.

23 SEC. 2. Section 44691 of the Education Code is amended to  
24 read:

25 44691. The ~~State~~ Office of Child Abuse Prevention *in the State*  
26 *Department of Social Services* shall develop and disseminate  
27 information to all school districts and ~~district~~ school *district*  
28 personnel in California regarding the detection of child abuse. The  
29 information may be disseminated by the use of literature, as  
30 deemed suitable by the *State* Department of Education. Staff  
31 development seminars and any other appropriate means of  
32 instructing school personnel in the detection of child abuse and

1 neglect and the proper action that school personnel should take in  
2 suspected cases of child abuse and neglect, shall be developed by  
3 the *State* Department of Education. *The Office of Child Abuse*  
4 *Prevention or another state or local entity working with the State*  
5 *Department of Social Services to provide training for mandated*  
6 *reporters shall make those resources available to school districts*  
7 *and school district personnel.*

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